

Summary of Draft Nationwide Permits

NWP	Title	Applicable Waters	Maximum Acreage	PCN Threshold
3	Maintenance - add removal of accumulated sediment from existing structur - add activities in waters of US associated with replacing uplands lost due to storm event	all waters	200 linear feet from structure; 50 cubic yards	all except repair, replacement or rehabilitation of existing structures
7	Outfall Structures and Maintenanc - add removal of accumulated sediments from intakes, outfalls, and canals	all waters	restricted to original configuration	all
12	Utility Activities - add access roads normally constructed at grad - add substations and foundations for overhead lines	non-tidal waters, excluding adjacent to tidal (access roads, substations); all waters (others)	1 acre for substations; 1 acre for access roads; minimum necessary for foundations	1/4 acre (substations); 500 linear feet (access roads constructed above grade in waters)
14	Linear Transportation Crossings - no change for private roads and public crossings in tidal and non-tidal wetlands adjacent to tidal waters - add larger crossings for public projects onl	non-tidal waters excluding adjacent to tidal waters	1 acre (public)	1/4 acre; discharges in special aquatic sites
		all waters	1/3 acre (private and public)	
27	Stream and Wetland Restoration Activities - add restoration of non-tidal streams and open waters - add restoration of former tidal waters	all waters	no limit	non-Federal public or private land (n agreement)
39	Residential, Commercial, and Institutional Developments - building pads and attendant features	non-tidal waters, excluding adjacent to tidal waters	indexed; 3 acres maximum	1/4 acre; all below OHWM
40	Agricultural Activities - no change to farm buildings - NRCS has lead for USDA program participants - Corps has lead for non-participants in USDA programs	non-tidal waters excluding adjacent to tidal waters	1 acre (building); 2 acres (indexed 1 acre for playas, prairie potholes, and vernal pools)	1/4 acre (non-participants); 500 linear feet of ditch relocation
41	Reshaping Existing Drainage Ditches - purpose of activity is to improve water qualit - cannot increase drainage or flows or relocate the ditch	non-tidal waters, excluding adjacent to tidal waters	restricted to minimum necessar	sidecast into waters of U.S.; 500 linear feet of ditches in waters of US
42	Recreational Facilities - only activities that are integrated into the natural landscape with low impact, such as trails, campgrounds, and environmentally designed golf courses or ski areas - no playing fields, basketball and tennis courts, race tracks, stadiums, or arenas	non-tidal waters, excluding adjacent to tidal waters	1 acre	1/4 acre; 500 linear feet of stream bed
43	Stormwater Management Facilities - no construction in perennial streams	non-tidal waters, excluding adjacent to tidal waters	2 acres (construction); none for maintenance	1/4 acre; 500 linear feet of stream bed
44	Mining Activities - aggreg te (sand and gravel and stone) mining - hard rock and mineral mining	isolated waters, non-tidal wetlands, lower perennial streams	2 acres, including 1 acr for support activities	all